

REMARKS

The Office Action mailed December 5, 2006 has been received and the Examiner's comments carefully reviewed. Claims 12 and 28 have been amended. Claims 38-46 have been added. No new subject matter has been added. Claim 36 has been cancelled. Claims 12-17, 28-35, and 37-46 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

Rejections Under 35 U.S.C. §102

Claims 12, 13, 15-17, 28 and 31-34 are rejected under 35 U.S.C. §102(b) as being anticipated by Verhoef et al. (U.S. Patent 6,843,435). Applicants respectfully traverse this rejection, but have amended claims 12 and 28 to advance this application to allowance. Applicants reserve the right to pursue the original subject matter via a continuing application.

Applicants note that claims 35-37 have not been included in any of the rejections, yet comments are provided with regards to the above rejection. It is assumed that claims 35-37 are to be included in the above anticipation rejection. If this assumption is incorrect, immediate notification is requested.

A. Claim 12

Claim 12 has been amended to incorporate the limitations recited in claim 36. Accordingly, the comments regarding claim 36, as they may now apply to pending claim 12, are addressed below.

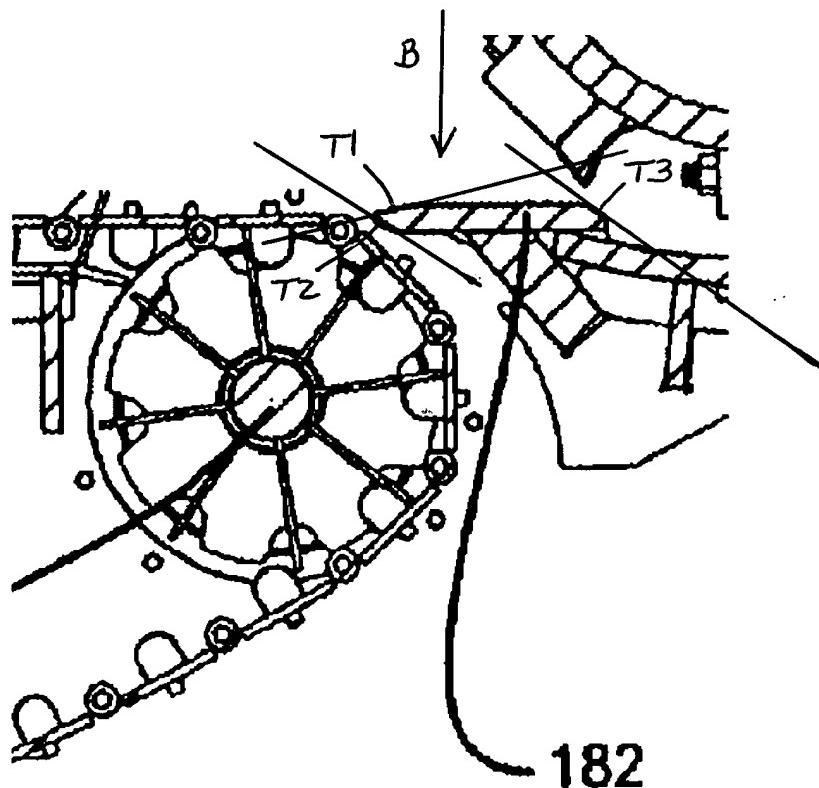
Claim 12 recites a grinding machine including a mill box, a grinding drum, and an anvil. The anvil has a cross-section including a wedge-shaped portion and a rectangular portion. The wedge-shaped portion has a tapering surface extending from a first reference point to a second reference point. The tapering surface is oriented such that the first and second reference points are horizontally aligned with one another.

Verhoef discloses a grinder including a mill box 154 and an anvil 182. The Examiner states that the anvil of Verhoef has a wedge-shaped portion and a rectangular portion. It is unclear to which portions of the anvil 182 the Examiner is referring. Applicants request further clarification as to what portion of the anvil 182 is being referred

to as the wedge-shaped portion and what portion of the anvil 182 is being referred to as the rectangular portion.

Nevertheless, Applicants submit that Verhoef does not disclose a tapering surface, defined by first and second reference points, which reference points are aligned horizontally. The Examiner attention is directed to partial FIG. 3 of Verhoef reproduced below with annotations. While it is not clear which tapering surface the Examiner is characterizing as "the tapering surface", none of the tapering surfaces (T1, T2, T3) is oriented in a horizontal position; accordingly, there can be no two reference points defining the tapering surface that are horizontally aligned.

To properly establish an anticipation rejection, each and every limitation must be disclosed in the reference. That is, the identical invention must be shown in as complete detail as is contained in the claims, including the arrangement of elements as required by the claims. MPEP 2131. At least because Verhoef fails to disclose the recited orientation of a tapering surface of a wedge-shaped portion of the anvil, Applicants respectfully submit that independent claim 12, and dependent claims 13, 15-17, 35, and 37 are patentable.



B. Claim 28

Claim 28 has been amended to clarify the particular orientation of the tapering surface of the anvil. The tapering surface is required to be oriented perpendicular to vertical impact forces generated by the grinding drum. Referring to FIG. 3 of Verhoef, reproduced above, the tapering surfaces are not perpendicular to the vertical impact forces (represented by arrow B) generated by the drum.

To properly establish an anticipation rejection, each and every limitation must be disclosed in the reference. That is, the identical invention must be shown in as complete detail as is contained in the claims, including the arrangement of elements as required by the claims. MPEP 2131. At least because Verhoef fails to teach or suggest the recited orientation of a tapering surface relative to vertical impact forces generated by the drum, Applicants respectfully submit that independent claim 28, and dependent claims 31-34 are patentable.

Rejections Under 35 U.S.C. §103

I. The Examiner rejected claims 14 and 30 under 35 U.S.C. §103(a) as being unpatentable over Verhoef et al. (U.S. Patent 6,843,435) in view of Zehr (U.S. Publication 2002/0056773). Applicants respectfully traverse this rejection.

Dependent claims 14 and 30 each recite a mounting arrangement having clamping arms that secure the ends of the anvil when positioned with the apertures of the mill box sides. The Examiner states that Zehr discloses clamping arms that secure the bars 44 within the hammer mill screen 40; but fails to point to specific support in Zehr for this assertion. Applicants respectfully submit that nowhere does Zehr disclose that the bars 44 are secured by clamping arms, and that the Examiner has impermissibly broadened the disclosure of Zehr. Evidence as to where Zehr discloses clamping arms is respectfully requested.

II. Claim 29 is rejected under 35 U.S.C. §103(a) as being unpatentable over Verhoef et al. (U.S. Patent 6,843,435) in view of Hadjinian et al. (U.S. Patent 5,881,959). Applicants respectfully traverse this rejection.

Claim 29 depends upon claim 28. In view of the remarks regarding independent claim 28, further discussion regarding the independent patentability of dependent claim 29 is believed to be unnecessary. Applicants submit that dependent claim 29 is in condition for allowance.

New Claims 38-46

New claim 38 recites a grinding machine including a mill box, a feed table arranged to transport material to the mill box, and an anvil. The anvil includes a rectangular portion and a wedge-shaped portion, each portion being defined by specifically related surfaces. One of the surfaces is a tapering surface that defines the wedge-shaped portion of the anvil. The tapering surface of the anvil is positioned parallel with the transport plane of the feed table.

None of the cited art discloses an anvil having two specifically shaped portions (a wedge-shaped portion and a rectangular portion), the tapering surface of the wedge-shaped portion being parallel with a transport plane of a feed table. Applicants respectfully submit that independent claim 38, and corresponding dependent claims 39-44 are patentable.

New claims 45 and 46 depend from base claims 12 and 28. Applicants respectfully submit that none of the cited art discloses the tapering surface of an anvil oriented as claimed in claims 45 and 46, and that claims 45 and 46 are therefore patentable.

SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 12-17, 28-35, and 37-46) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted hereby.

Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.

Respectfully submitted,



MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: March 5, 2007

A handwritten signature in black ink, appearing to read "Karen A. Fitzsimmons".

Karen A. Fitzsimmons
Reg. No. 50,470
KAF:cjc